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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

PERRY GRIGGS 67615,

Plaintiff,

-v-

08-CV-6559Fe

ORDER

ERIE COUNTY SHERIFF, et al.

Defendants.

Plaintiff Perry Griggs, who is presently incarcerated at the Erie County Holding Center, has submitted to the Court a complaint and an affidavit of poverty seeking permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a).

The filing fee for civil actions is **\$350.00**. Before this action can proceed the Court must receive a signed Authorization from plaintiff authorizing the institution in which the plaintiff is confined to pay the full **\$350.00** filing fee.

In addition, the documentation plaintiff has submitted is inadequate to permit the Court to evaluate the request to proceed *in forma pauperis*, because plaintiff has neglected to have prison officials complete the required prison certification section of the application form, without which the Court cannot grant the request and put the case forward. Because this section of the application form must be completed and signed by a prison official, plaintiff may have until **April 16, 2009**, to submit a supplementary

application which includes a completed prison certification section.

Accordingly, the plaintiff has until **April 16, 2009**, to (a) furnish the Court with another signed Authorization (a copy of which is attached hereto) authorizing the institution in which the plaintiff is confined to pay the full \$350.00 filing fee and submit the completed prison certification or (b) pay the full filing fee of \$350.00. The Clerk of the Court is directed to send a new form application to proceed as a poor person.

If the Court does not receive another signed Authorization and the completed prison certification or the full fee of \$350.00 on or before such date, **this action will be dismissed without further notice** to the plaintiff and, if any part of the filing fee has already been submitted to the Court from the institution, it will be returned to the institution for deposit in the plaintiff's inmate account.

IT IS HEREBY ORDERED, that the Clerk of the Court is to close this case as dismissed after **April 16, 2009** if the plaintiff has not provided the Court with another signed Authorization and a completed prison certification or not paid the full filing fee by that date.

SO ORDERED.

S/ Michael A. Telesca

MICHAEL A. TELESCA

United States District Judge

Dated: March 10, 2009
Rochester, New York